

more than 20%, and another quarter think it should be somewhere between 20% and 30%. So nearly eight of every 10 Americans think that no one, not even Bill Gates, should pay more than 30% to the government.

Now, even we'll admit to the sin of thinking once in a while that the world would be better off if a few people (Ted Turner, say, or George Soros) were taxed at confiscatory rates. So how to explain such a poll result? One answer is that Americans put more faith in their aspirations than do the envy specialists of Europe or Brookline, Mass. They appreciate America's class mobility and expect, or at least hope, that someday they too will be rich.

But the more fundamental answer may be that confiscatory taxation violates America's sense of fairness. Most Americans simply believe it is wrong, unjust even, for the government to take more than a third (or even a fifth) of the hard-earned income of even the very rich. It is, after all, their money.

Honesty compels us to concede, however, that the Fox poll does give America's income redistributionists some reason to hope. About 1% think the government is entitled to take "whatever" it wants, presumably 100% if need be. This may be a small socialist cadre, but they are clearly committed.

STANDING UNITED

Mr. KYL. Finally, I ask unanimous consent to print in the RECORD a letter from several international leaders called "Europe and America Must Stand United," reprinted from the Wall Street Journal. It is signed by representatives from Spain, Portugal, Italy, the United Kingdom, the Czech Republic, Hungary, Poland, and Denmark. It makes the point that other countries in Europe stand with the United States in our determination to bring the country of Iraq into compliance with the norms of international behavior and U.N. resolutions that apply to its weapons of mass destruction program.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Jan. 30, 2003]

EUROPE AND AMERICA MUST STAND UNITED

The real bond between the United States and Europe is the values we share: democracy, individual freedom, human rights and the Rule of Law. These values crossed the Atlantic with those who sailed from Europe to help create the USA. Today they are under greater threat than ever.

The attacks of 11 September showed just how far terrorists—the enemies of our common values—are prepared to go to destroy them. Those outrages were an attack on all of us. In standing firm in defence of these principles, the governments and people of the United States and Europe have amply demonstrated the strength of their convictions. Today more than ever, the transatlantic bond is a guarantee of our freedom.

We in Europe have a relationship with the United States which has stood the test of time. Thanks in large part to American bravery, generosity and far-sightedness, Europe was set free from the two forms of tyranny that devastated our continent in the 20th century: Nazism and Communism. Thanks, too, to the continued cooperation between Europe and the United States we have managed to guarantee peace and freedom on our continent. The transatlantic re-

lationship must not become a casualty of the current Iraqi regime's persistent attempts to threaten world security.

In today's world, more than ever before, it is vital that we preserve that unity and cohesion. We know that success in the day-to-day battle against terrorism and the proliferation of weapons of mass destruction demands unwavering determination and firm international cohesion on the part of all countries for whom freedom is precious.

The Iraqi regime and its weapons of mass destruction represent a clear threat to world security. This danger has been explicitly recognised by the United Nations. All of us are bound by Security Council Resolution 1441, which was adopted unanimously. We Europeans have since reiterated our backing for Resolution 1441, our wish to pursue the UN route and our support for the Security Council, at the Prague Nato Summit and the Copenhagen European Council.

In doing so, we sent a clear, firm and unequivocal message that we would rid the world of the danger posed by Saddam Hussein's weapons of mass destruction. We must remain united in insisting that his regime is disarmed. The solidarity, cohesion and determination of the international community are our best hope of achieving this peacefully. Our strength lies in unity.

The combination of weapons of mass destruction and terrorism is a threat of incalculable consequences. It is one at which all of us should feel concerned. Resolution 1441 is Saddam Hussein's last chance to disarm using peaceful means. The opportunity to avoid greater confrontation rests with him. Sadly this week the UN weapons inspectors have confirmed that his long-established pattern of deception, denial and non-compliance with UN Security Council resolutions is continuing.

Europe has no quarrel with the Iraqi people. Indeed, they are the first victims of Iraq's current brutal regime. Our goal is to safeguard world peace and security by ensuring that this regime gives up its weapons of mass destruction. Our governments have a common responsibility to face this threat. Failure to do so would be nothing less than negligent to our own citizens and to the wider world.

The United Nations Charter charges the Security Council with the task of preserving international peace and security. To do so, the Security Council must maintain its credibility by ensuring full compliance with its resolutions. We cannot allow a dictator to systematically violate those Resolutions. If they are not complied with, the Security Council will lose its credibility and world peace will suffer as a result.

We are confident that the Security Council will face up to its responsibilities.

Mr. KYL. That is the subject I would like to devote the rest of my time to discussing. It is the issue the President addressed in the State of the Union speech, an issue we dealt with 3 months ago in the Senate when we approved a resolution authorizing the President to use force, if need be, to bring Iraq into compliance with both agreements it had signed at the end of the Persian Gulf war 12 years ago and also various United Nations resolutions.

I rise to speak today because there are obviously a lot of legitimate concerns being expressed by various Members of the Congress, including a longtime Member of the Senate, Senator KENNEDY, who recently introduced a resolution calling for the Senate to revisit this issue. I did not have the op-

portunity to tell Senator KENNEDY I would be speaking about his resolution, but I did want to note this has been dealt with by the Congress. We have given the President the authority.

One could argue with respect to any change in circumstances that conditions have only gotten worse, not better, since the President was granted that authority by the Congress and therefore we do not need to vote on that resolution again or a new resolution giving the President the authority to act. I make that point because of the submission of his resolution yesterday and because of the remarks he made. I will be referring to those remarks.

The point of the President's comments in his State of the Union speech was not to lay out the case for proceeding against Saddam Hussein but, rather, to begin to create the predicate for action we will have to take. People have asked why President Bush has not been more vocal about the case to be made. I don't know because I have not talked to him, but I suspect that the last thing President Bush wanted to do was to be seen as beating the war drums. This is a grave decision he will have to make. It is a decision I know he does not make lightly. He makes it very reluctantly. But in the end, he will have to make a decision. I believe, from the tone and tenor of his remarks on Tuesday evening and the fact that he has not been speaking out a lot about this in the last several weeks, that is an illustration of the fact that he did not want to be seen as promoting the United States involvement in military action in Iraq but rather exactly the opposite: Asking Secretary Powell to visit with our allies at the United Nations and other nations, as well, and Secretary Rumsfeld and Dr. Rice to go out and speak to others to assert their views on the subject and express our views on the subject, to try to find some way to avoid having to use military action to enforce these U.N. resolutions.

The President has made the point that time is running out, that Saddam Hussein has steadfastly, continuously, repeatedly refused to comply with those resolutions and that at some point the international community as a whole, the United Nations as a body, and the United States specifically, have to decide whether these international agreements are going to be enforced. If they are not, then one could easily say they are not worth the paper on which they are written. The United States would have less moral suasion in the world if it refused to act when it had a clear responsibility to do so, and the United Nations and its Security Council would be deemed increasingly irrelevant by virtue of the fact that it has passed no fewer than 16 resolutions expressing the fact that Saddam Hussein has remained in violation of his promise to dismantle his weapons of mass destruction and has not done so.

If we are to rely upon international bodies, multilateral agreements, and even treaties and agreements signed by Saddam Hussein, there has to be an "or else" if they are not complied with or there is no point in entering into them in the first instance. Second, if you do not enforce the agreements, you foster more rogue behavior by nations such as Iraq under Saddam Hussein's leadership because those nations know they can continue to violate international norms of behavior and get away with it because at the end of the day no one is willing to enforce those norms of behavior even when they have been codified in agreements or in United Nations resolutions.

That is why President Bush is right; time is running out, and Saddam Hussein has a very critical decision to make. Will he finally see the handwriting on the wall that his days and his regime's days are very numbered and comply with the agreement he made, to save his own life, to dismantle his weapons of mass destruction under international supervision? That is the term that is used in Resolution 687 of the United Nations which has been incorporated into the most recent Resolution 1441.

That is the basis for the ability of the United States and the other nations of the world to act in this case. Saddam Hussein promised to dismantle his weapons of mass destruction under international supervision. He never did that. There was an inventory in 1998 of his weapons of mass destruction by the United Nations. He has never fully explained what happened to that inventory. He had a last opportunity to do so in the declaration he was invited to file a couple of months ago. A declaration was filed. It contained the same old things he talked about before but no evidence that he had destroyed those weapons of mass destruction.

Now, why did the United Nations say he had to dismantle these weapons under international supervision? Precisely because we did not want to be in the position of having to go find the needle in the haystack: We have to go find evidence somewhere to prove that he still maintains or possesses these weapons of mass destruction. After all of these years and the opportunities he has had to hide these weapons, the burden should not be on the United States or the United Nations to go find these weapons but, rather, right where it was when he signed the agreements at the end of the gulf war and when the United Nations adopted its original resolution saying he had to dismantle these weapons under international supervision. We knew that was the only way we would know for sure it had been done, because of his record of lying and cheating.

Sure enough, over the past 11 years, that record has continued. He has never explained what happened to these weapons. He has never given us the evidence that they have been destroyed. We have evidence that they

still exist, from the declarations of the United Nations in 1998 as well as our own intelligence and some admissions from the Iraqi Government itself and eye witness accounts. You cannot get better evidence than that.

Now, some of this evidence, of course, is collected by the intelligence agencies and not of the kind that can be released publicly. But Secretary Powell is going to visit with our allies and others at the United Nations, hopefully next week, to lay out some additional information we can disclose and, hopefully, persuade these nations it is now time to act.

The basis of the resolution Senator KENNEDY offered was that there should be more time for the inspections to work. I would like to confront that directly because I know that while the concept is well meaning, it is very misplaced. There is nothing in the evidence to suggest Saddam Hussein will change his behavior in the least if he has more time. In fact, quite the opposite is true. The only time Saddam Hussein has ever come forward and done anything that has even begun to suggest compliance has been when he has been pressured to do so, when he has known the time was short and people were going to enforce the agreements he made if he did not do something.

Ironically, the best way to get him to comply is to make it clear that military action is a very distinct and proximate possibility. That is the only basis on which I think there is any hope to avert military action—if he understands it is inevitable unless he complies.

So I think giving him more time would be seen not only by Saddam Hussein but other rogue terrorists and terrorist states in the world as a lack of willingness on the part of the international community to enforce these agreements it has gotten Saddam Hussein to sign and the resolutions the United Nations adopted.

What are the implications of that? If international norms of behavior are not enforced and if the free nations of the world cannot muster the will and the ability to enforce them, it merely fosters similar action by terrorists and rogue states around the world. The eyes of the world are upon us. This is why President Bush has made the commitment to move forward if Saddam Hussein does not comply, because he understands that everyone is watching, and if the rogue terrorists of the world—rogue states and terrorists decide they can get the United States and the United Nations to blink, that at the end of the day they are not really willing to enforce these resolutions and agreements, you can see them act in ways that very soon will challenge us to military action and perhaps at a time when it is more disadvantageous for us to take that action.

The lesson of Korea is a good lesson. It would have been better if we could have dealt with Korea permanently be-

fore it acquired nuclear weaponry. Because it has that kind of weaponry today, and longer-range missiles, we are very reluctant to engage North Korea militarily, and with good reason. We cannot afford to wait until countries such as Iraq or other rogue states acquire similar weapons, nor to decide it is time to deal with them, to get them to comply with these agreements and U.N. resolutions. That is why more time is not the answer. More time will not solve the problem. More time will do nothing but exacerbate the problem.

Confidence is also misplaced to rely on the inspections to produce anything. President Bush has made the point, Secretary Powell has made the point—inspections only work if you have a willing, compliant party on the other side that has demonstrated a desire to dismantle weapons and wants the world to verify that has been done.

We did this before in Ukraine and Kazakhstan, countries that were willing to dismantle their weapons. Where inspections are able to confirm that, demonstrate that, this is a technique that can work. But it can never work, as Secretary Powell said, with a nation such as Iraq which has as its intention hiding these weapons rather than cooperating.

The inspectors are not in Iraq—and I repeat this, the inspectors are not in Iraq—to find evidence with which to prosecute Saddam Hussein. That would be an impossible task. They would have to get enormously lucky to find anything in that country. In fact, I guess we could say they were lucky, to the extent they found 16 shells which contained warheads suitable for chemical weaponry, warheads that were not declared by Saddam Hussein in his declaration and therefore were in clear violation of the U.N. requirement that he destroy these weapons. They were lucky to find them.

People say you need a smoking gun. There is a smoking gun. Why is that not good enough? The bottom line is you cannot put the burden on the inspectors because there is no way in any reasonable period of time that you could expect them to find them all. I have forgotten the exact number now, but there are in the tens of thousands of these weapons that Saddam Hussein had. We knew he had them and he has never shown he has destroyed them. How are we going to find those? The fact is the inspectors are there to verify voluntary compliance. They are not there to try to find things that are being deliberately hidden.

One of the reasons the document I had printed in the RECORD, the letter signed by European leaders, is so important is because it validates the notion that the free nations of the world need to be united in enforcing these norms of international behavior. Thus the headline: "Europe and America Must Stand United." The last paragraph I will read:

The United Nations Charter charges the Security Council with the task of preserving

international peace and security. To do so, the Security Council must maintain its credibility by ensuring full compliance with its resolutions. We cannot allow a dictator to systematically violate those resolutions. If they are not complied with, the Security Council will lose its credibility and world peace will suffer as a result.

We are confident the Security Council will face up to its responsibilities.

Some of the signatories include Tony Blair, of the United Kingdom, Silvio Berlusconi, of Italy, Vaclav Havel, of the Czech Republic, one of the real democrats of our era, and others, who make the point that we have to stand united in this effort.

The problem they are facing and that President Bush is facing is if we believe we have to get the approval of the Security Council, and any of the five permanent members, which could be Russia, China, or France, for example, were to veto another resolution, then our hands would be tied. That is why another resolution is not required. Resolution 1441 is good enough. President Bush has made that point and Secretary Powell made the point, telling those nations, don't vote for the Resolution 1441 if you are not going to be prepared to support action when the time comes.

Now the time is upon us. What these distinguished leaders are saying in this letter is the Security Council needs to step to the plate and authorize the kind of action that is called for here. If not, it can be done unilaterally by the United States and the rest of the coalition of willing partners. We have that legal authority to do so. Obviously, it would be better if the world opinion, expressed through United Nations resolutions, backed that action. But that is not necessary.

I would argue also in some respects it is not desirable to keep going back to the United Nations Security Council for approval. This is the reason why. You begin to create the precedent that action is illegitimate unless this group has approved it; that unless the Security Council has given its stamp of approval other nations may not act in their self-interest and in the interest of the international community of countries.

That would be an extraordinarily bad precedent. It would cede the sovereignty of the United States to a United Nations body which is not some kind of angelic group of objective judges on high somewhere, deciding what is right, truth, and justice in the world. It is five countries with self-interests, one of which is the United States. All of these countries act in their self-interest and there is nothing wrong with that. France acts in its self-interest. A lot of French have business dealings with the Iraqis. There is nothing wrong with that except it may violate the sanctions of the United Nations. But they have reasons for perhaps not wanting to confront Iraq.

Russia has a lot of money tied up in Iraq in debts that are owed to Russia. It wants to see those debts repaid.

There is nothing wrong with that. So it is naturally a little bit careful here in the way it is dealing with Iraq in this resolution.

China has its own issues, as have Great Britain and the United States. All of us approach these issues from the legitimate position of our own self-interest as nations. The combination of those five countries represents the permanent members of the Security Council, who have a veto. There are additionally 10 other nations that rotate on and off the Security Council.

We got a unanimous decision of all 15 nations, including even Syria, with Resolution 1441. So we have the ability to proceed. What I am saying is it is a mistake to have to go to the Security Council again, first, because you are setting a very bad precedent that is the only way you can legitimately act, and, second, because there is some kind of suggestion that nations put their self-interests over here on a shelf when they deal with questions such as this. They do not. They make decisions based upon their perception of their own self-interest and there is nothing wrong with that. But what it can mean is that if our interests are divergent enough, we can get into situations where some countries decide to take an action and other countries decide to veto that action. If they have a legal veto, then they can preclude countries such as the United States and Great Britain, for example, from acting in their own self-interest.

That is why, even though I welcome the debate and would be very willing to spend all of the time our good friend and colleague, Senator KENNEDY, would like to take on the floor of the Senate, debating his resolution to have yet another expression of Congress in support of military action by the President, it is not necessary. We have already covered that ground. It has already been approved by the Senate. The President has taken a lot of action in reliance upon the action of the Senate back in November.

It is kind of like pulling the rug out from under him. I know that is not Senator KENNEDY's intent, but it could have that effect because the President relied on the approval the Senate gave to him to mobilize tens of thousands of American troops all over the world. These troops are now committed to the theater of Iraq. A great deal depends upon our ability to combine a military mission with the timing that is required to achieve success, and all the other factors that are involved in a successful outcome of the enforcement of these U.N. resolutions by the United States and its committed allies.

We can't be getting to the point where there is a herky-jerky, we'll give you the authority, we'll take it back, OK, we'll give you some more, now you can't. The Commander in Chief cannot operate that way. That is why last December we said we will vote to give the authority. Don't vote for it if you don't think he should exercise that. Many of

our colleagues did not, and they have good and sufficient reasons for voting that way. The vote overwhelmingly carried. The President was granted the authority by the Congress. Now, on the eve of his exercise of that authority, if he chooses to do so, is not the time to suggest that, well, we didn't really mean it; he has to come to us one more time. That would be an act, I suggest, that would not be worthy of the Senate, given our responsibilities to act in concert with the President in conducting his responsibilities as Commander in Chief.

Even though we know there are sincere questions and concerns about taking military action—and every one of us shares those concerns—we also know leadership is about making decisions when the situation is not clear. All of us have heard about the fog of war. Henry Kissinger has written about the essence of leadership and making a decision when almost everything seems to be in doubt and there is no clear path to a decision. Making the right decision at that time and following through is what enables you to succeed, because waiting until everything is clear is usually to wait until it is too late. It is the situation I described before with North Korea, for example. If we wait until it is clear that Saddam Hussein has the nuclear weapon, it will be too late to confront him over the use of that weapon or over the fact he possesses that weapon.

That is why the President has been so insistent that the original promise of Saddam Hussein to dismantle under international supervision and never having complied with that promise must now be enforced. That is the essence of the President's case. While I am sure he will speak to the American people and lay this out much more clearly than I have, and that he, Secretary Powell, and others will continue to speak with our allies so they know fully why we are prepared to act and will feel comfortable in joining us in this action—and even with those actions which I think we can contemplate in the next several days—I think it would be a big mistake, as I said, for the Senate to assume we need to revisit this issue in a legal way and that the President would not be authorized to act unless we pass some kind of legislation.

I welcome the debate, as I said. If our colleagues wish to have that debate here on the Senate floor, I suggest it would be far better for us to acknowledge the President's authority and to stand behind him in the decisions he makes, knowing our support for his actions is support for the troops we are sending in harm's way. The best thing we can do for those sons and daughters is not to continue to question and wring our hands and express self-doubt about what we are doing but to solemnly weigh all of the factors, make a judgment to support the President in his judgment, and then support those troops when they are called upon to

act. That is the best way we can repay those who are willing to make that supreme sacrifice for that willingness on their part.

I solemnly hope as we debate these issues, we can do so in that spirit, in the spirit of the sacrifice our troops are willing to make, and that the debate be as serious, as analytical, and as non-partisan as much as we can make that kind of debate, but when the time comes that every one of us will support the President and our troops.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SANTORUM. Mr. President, I want to pick up where the Senator from Arizona left off.

What has changed that would lead us to have another debate on a resolution authorizing force? Since the last time we debated this issue here on the Senate floor, I do not know if the Senator from Arizona has any thoughts as to what sort of things have changed. The only thing I can think of which has changed is we have had weapons inspectors in the country and those weapons inspectors have been deceived. We did not have weapons inspectors in the country at the time we were debating this resolution in September of last year. The only thing I can think of is the Senator from Massachusetts and others who wanted to debate this issue wanted to make the point that, Well, weapons inspectors haven't found anything, and maybe that has changed. Remember, they weren't in the country in the first place.

We didn't find anything in the first place when the U.N. took as a given that he had these weapons of mass destruction. It was simply a matter of what he was going to declare and what he had done with them. He still hasn't.

From my perspective, I haven't seen any change. We knew he had these weapons. The President detailed them the other night. He hasn't disclosed what he has done with these weapons, which is pretty status quo.

When we were debating in September, we had had weapons inspectors who had been given the opportunity to determine where these weapons were, and Saddam Hussein had not cooperated.

Mr. KYL. Mr. President, if I could respond to the Senator from Pennsylvania, I don't want to characterize Senator KENNEDY's response to that. He made his statement. The essence of one of the things he said was things have changed since we debated this. From his perspective, he said things have changed. One of the things he said was inspectors had not been able to find anything.

I would respond to that in two quick ways.

First of all, the U.N. inspectors have determined Iraq is not voluntarily disarming as required by United Nations Resolution 1441. Quoting Hans Blix, head of the inspector team:

Iraq appears not to have come into genuine acceptance—not even today—of disarmament

which was demanded of him and which he needs to carry out to win the confidence of the world and live in peace.

Mr. SANTORUM. Mr. President, I would say to my colleague that when we voted on this resolution in September there were no weapons inspectors in the country. There was not even the prospect of weapons inspectors in the country. I keep coming back to what has changed substantively. The fact that weapons inspectors haven't found anything is a fact, but it is not relevant to what the debate was back in September when we passed this resolution because there was not even the prospect of weapons inspectors at that time. The debate was clearly about the fact that Saddam had weapons of mass destruction and he had not come forward to date and disclosed them. All we have seen over the past few months is more of the same.

Mr. KYL. If I could respond to the Senator from Pennsylvania, some of the best evidence of what has changed or what hasn't changed comes from Secretary Powell's comments on the United Nations report. Here is what he said:

Iraq has been and continues to be in material breach of all its earlier obligations. We are giving the resolution one more chance to Iraq. We put a firm list of conditions for Iraq to meet and what they should allow the inspectors to do to assist them in disarmament. Iraq's time for disarmament is fast coming to an end.

Mr. SANTORUM. It seems to me what Senator KENNEDY put forward is what many in the press have put forward, which is really a change of expectations and putting up, I would argue, the straw man; that is, it is our obligation to show Saddam is not in compliance by finding a weapon of mass destruction; the fact we haven't found one is somehow a breach on our part, or a problem; and a level of evidence we haven't been able to meet. Of course, just the opposite is true. As the Senator from Arizona just read, it is his obligation to prove he is in compliance, not our obligation to prove he is not in compliance.

Mr. KYL. If I may further respond to the Senator from Pennsylvania, this is not just our view, Secretary Powell's view, or President Bush's view. The letter we saw in today's Wall Street Journal by prestigious leaders in countries such as Great Britain, Portugal, Italy, and the Czech Republic said this:

Resolution 1441 is Saddam Hussein's last chance to disarm using peaceful means. The opportunity to avoid greater confrontation rests with him. Sadly, this week, the U.N. weapons inspectors have confirmed that his long established pattern of deception, denial, and noncompliance with U.N. Security Council resolution is continuing. We cannot allow a dictator to systematically violate those resolutions.

Mr. SANTORUM. Another point that is being made is these inspectors are not finding anything, and that there is this undercurrent of expectation that it is their role to be detected or investigated; that they are over there to

find the proverbial needle in the haystack; that they are there to be Sherlock Holmes when, of course, that is not their mission. Their mission there is not as detectives. They are inspectors. I use the example of someone who runs a gas station. Someone from the Bureau of Weights and Measures comes in and determines whether your scales are operating correctly. Are you running a legitimate business? You show them the record of what your pump is pumping out in gas, and they check it to make sure it is valid. That is what these inspectors are doing. If you are conducting illegal activities and siphoning off gas somewhere, they are not going to find that by checking whether your pump is working right.

So that really is the case with these inspectors, is it not, that they are there to check as to what Saddam is telling us where his weapons of mass destruction went, if they actually went there, or were destroyed. Since he has not provided us any of that information, it is very hard for them to be able to find any smoking gun or deposit of weapons, when their job really isn't to do that; it is just to validate what he is telling them.

Mr. KYL. Mr. President, I say to the Senator from Pennsylvania, that is exactly right. The analogy is a good one. It is somewhat similar to what Secretary Powell has said. If I can find that, I will put it in the RECORD right here.

But it is also interesting that not only is their job not to be a detective but, rather, to verify voluntary compliance. But since the resolution, passed by the Senate, authorizing the President to use force if necessary, here is what has happened: The inspectors have not been able to interview any Iraqis in private. The inspectors have still not received from Iraq a full list of Iraqi personnel involved with the WMD programs. The inspectors have not been able to employ aerial surveillance. They will not guarantee the safety of the U-2 planes. In fact, they shoot at our pilots every day as we try to surveil their country. Inspectors have caught Iraqis concealing top secret information. Inspectors have evidence that Iraq has moved or hidden items at sites just prior to inspection visits. And, of course, Iraq did not provide a complete declaration of the WMD program as it is required to do.

So as to the question of what has changed with respect to inspections, it is all bad news, not good news.

Mr. SANTORUM. The fact of the matter is, nothing has changed from the inspections that occurred prior to the debate here in the Senate back in September. So I really question what the motivation is of having this debate again when, on a substantive basis, nothing has changed, other than continued and maybe even more explicit deception on the part of Saddam Hussein in hiding these weapons of mass destruction.

What has changed, I would argue, is the United States and our coalition

partners have moved forward in a plan of deployment to convince Saddam we are serious, that if he does not comply, and comply quickly and completely, there will be action taken.

As we had this debate on the floor—and one of the reasons many Members here supported this resolution—it was to make sure Saddam knew we were serious, we were going to follow through with what we said we would do, and the President had the support of the American public, thereby making it a credible threat, giving—I heard this over and over—giving peace the best chance by letting Saddam know the certainty of his noncompliance.

Mr. KYL. Might I just make one final comment to the Senator from Pennsylvania?

Mr. SANTORUM. Please.

Mr. KYL. I did find what I was looking for. The Senator has made exactly the right point. Inspectors can verify someone who wants to be in voluntary compliance, but inspectors cannot find something you are trying to hide. Two comments. Secretary Wolfowitz said, on January 23:

It is not the job of inspectors to disarm Iraq. It is Iraq's job to disarm itself. What inspectors can do is confirm that a country has willingly disarmed and provide verifiable evidence that it has done so.

Then Secretary Powell had said this in the Washington Post a week ago:

The question isn't how much longer do you need for inspectors to work. Inspections will not work.

Mr. SANTORUM. Yes. The term I use over and over again is that these are inspectors, not investigators. These are not detectives. This concept that inspectors will find a smoking gun is absurd. It is absurd. They will not because they are not looking for a smoking gun. It is not their mission to find a smoking gun. They are there, as the Senator from Arizona quoted our people at the Defense Department—Paul Wolfowitz—they are there to determine whether Saddam is telling us the truth in the information he has given us. Since he has not given us any information as to what he has done with his weapons of mass destruction, it is very difficult for them to determine whether he is telling the truth.

So this whole concept, No. 1, that the burden of proof is on the United States of America or on the United Nations or on these weapons inspectors to find what Saddam has is false. And the expectation that there is some smoking gun we must show Members of the Senate, people in America, or people around the world, as some countries have indicated, is absurd on its face. Certainly, the countries that are involved in this action and have been involved in these negotiations at the United Nations know it. They know these inspectors are not there to find a smoking gun, are not there to find weapons of mass destruction. That is not what they are there to do.

They happened to stumble onto 16 warheads that could use chemicals,

that could contain chemical and biological weapons. They stumbled onto them. It just tells you how many of these things are probably lying around where even inspectors who are not looking for them can stumble onto them.

So the basic point I am trying to make is nothing has fundamentally changed, except two things: No. 1, more of the same; more of the same; Saddam Hussein is not disarming and he is not cooperating, which he is required to do under the United Nations resolution. That has not changed. And the threat to the United States as a result has not changed. That was a threat when we debated this in September. It is a threat today. So those things have not changed.

One thing has changed: We have begun, along with our coalition partners, to begin to deploy force in the region with the express purpose of giving Saddam every opportunity to understand the seriousness of our commitment. We should not at this time back down from that commitment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I ask unanimous consent to be recognized for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PRESIDENT'S STATE OF THE UNION ADDRESS

Mr. CARPER. Mr. President, I have a couple comments. First, on the heels of what has been said by our friends on the other side, a little more than 24 hours ago we listened as the President addressed our Nation and shared with us how he thinks we are doing and how he thinks we could do better.

I thought it was, for the most part, a good speech, well delivered. There were a number of aspects of the address I especially welcomed. As a former Governor of Delaware, who has been a mentor for over 5 years, and who went out and recruited 10,000 mentors in our State, I especially appreciated his recognition for the importance of the roles of mentors in young people's lives and the call for other Americans to mentor children in their own communities.

I very much appreciated his, I believe, sincere commitment toward rallying the United States to help fight the AIDS epidemic in Africa and to put our money where our mouths are.

A year or so ago we sat just down the Hall in the House Chamber and the President talked about an axis of evil in which he included North Korea, Iraq, and Iran. I had some difference with what he said, particularly dealing with Iran. He simply seemed to lump all the Iranians together, whether they happen to be the ruling clerics, who are squashing human liberties, civil rights in that country, or whether they happen to be many of the younger people,

those who have taken to the streets, who have demonstrated, risked their lives in a commitment to democracy.

I was very pleased when President Bush, in his comments the night before last, spoke to the situation in Iran and acknowledged there are two camps. There is a camp whose direction we do not endorse, we do not support, but strongly differ with. But there are a lot of good people in that country who are trying to do the right thing for themselves in a way we would welcome as they seek to restore civil liberties, human liberties, human rights, and to infuse a true democracy in that country.

There are a lot of people in that country who, frankly, like this country. On the heels on 9/11, and a time or two since, we have heard of spontaneous and organized demonstrations there where a number of people have expressed their sympathy with what we have suffered as a result of 9/11.

Those are just a few aspects of the President's speech in which I found favor.

There were a couple others that I thought were missing. Delaware is a State where we have had a remarkably strong economy. Our unemployment rate today is about 4 percent, which compares very favorably with other parts of America. I am not sure what the situation is in Montana, home of our Presiding Officer. Some States have unemployment rates of 6, 7, maybe 8 percent. We have a million or more people who don't have a job today than we did a year or so ago. I was disappointed in the President's decision not to acknowledge that these are tough times for a lot of States financially, that the cumulative deficits faced by the States this year are in the tens of billions of dollars, actually getting bigger, not smaller, as the year goes forward.

Some in this body think we should write out a check and provide revenue sharing for the States. I was never a big advocate for revenue sharing when I was a Member of the House or as a Governor for 8 years. I am not a huge advocate of revenue sharing today. Unfortunately, we actually don't have a whole lot of revenues to share these days, given the kind of budget deficits we face. But there are a couple of ways we might want to consider helping the States. I will just mention three. I will certainly pursue those with the administration and my colleagues.

No. 1, States are getting killed on Medicaid costs. As unemployment goes up, people are losing health care and more people are showing up asking for coverage under Medicaid, health care for low-income and unemployed people. There is a formula called the FMAP formula that specifies what percentage of Medicaid is paid by the Federal Government and what percentage is paid by the States. It varies from State to State. For my State, the Feds pay roughly half and the State pays half of Medicaid costs. In some cases, the